

**U.S. District Court  
Eastern District of New York (Brooklyn)  
CIVIL DOCKET FOR CASE #: 1:23-cv-02634-DLI-VMS**

Pacella v. Hesai Group et al  
Assigned to: Judge Dora Lizette Irizarry  
Referred to: Magistrate Judge Vera M. Scanlon  
Cause: 15:77 Securities Fraud

Date Filed: 04/07/2023  
Date Terminated: 02/05/2024  
Jury Demand: Plaintiff  
Nature of Suit: 850 Securities/Commodities  
Jurisdiction: Federal Question

**Movant**

**King Ho Wong**

represented by **Jing Chen**  
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**Movant**

**Michael Dee**

represented by **Jeremy Alan Lieberman**  
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*TERMINATED: 12/13/2023*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Alan Pacella**

represented by **Phillip Kim**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Hesai Group**

represented by **Scott D. Musoff**  
Skadden, Arps, Slate, Meagher & Flom LLP  
Litigation  
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**Defendant**

**Yifan Li**

**Defendant**

**Louis T. Hsieh**

**Defendant**

**Kai Sun**

**Defendant**

**Shaoqing Xiang**

**Defendant**

**Cailian Yang**

**Defendant**

**Colleen A. De Vries**

represented by **Scott D. Musoff**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Michael Charles Griffin**

(See above for address)

*ATTORNEY TO BE NOTICED***Robert Alexander Fumerton**

(See above for address)

*ATTORNEY TO BE NOTICED***Defendant****Goldman Sachs (Asia) L.L.C.****Defendant****Morgan Stanley Asia Limited****Defendant****Credit Suisse Securities (USA) LLC****Defendant****Huatai Securities (USA), Inc.****Defendant****Cogency Global, Inc.**represented by **Scott D. Musoff**

(See above for address)

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Michael Charles Griffin**

(See above for address)

*ATTORNEY TO BE NOTICED***Robert Alexander Fumerton**

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*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
04/07/2023	<u>I 1</u>	COMPLAINT against All Defendants filing fee \$ 402, receipt number ANYEDC-16578225 Was the Disclosure Statement on Civil Cover Sheet completed –YES,, filed by Alan Pacella. (Attachments: # <u>1</u> Exhibit Certification, # <u>2</u> Civil Cover Sheet Civil Cover Sheet and Defendants List, # <u>3</u> Proposed Summons Proposed Summons and Defendants List) (Kim, Phillip) (Entered: 04/07/2023)
04/07/2023	<u>I</u>	Case Assigned to Judge Dora Lizette Irizarry and Magistrate Judge Vera M. Scanlon. Please download and review the Individual Practices of the assigned Judges, located on our <a href="#">website</a> . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. (KD) (Entered: 04/07/2023)
04/07/2023	<u>I 2</u>	In accordance with Rule 73 of the Federal Rules of Civil Procedure and Local Rule 73.1, the parties are notified that <i>if</i> all parties consent a United States magistrate judge of this court is available to conduct all proceedings in this civil action including a (jury or nonjury) trial and to order the entry of a final judgment. Attached to the Notice is a blank copy of the consent form that should be filled

out, signed and filed electronically **only if all** parties wish to consent. The form may also be accessed at the following link: <http://www.uscourts.gov/uscourts/FormsAndFees/Forms/AO085.pdf>. **You may withhold your consent without adverse substantive consequences. Do NOT return or file the consent unless all parties have signed the consent.** (KD) (Entered: 04/07/2023)

04/07/2023	<u>3</u>	This attorney case opening filing has been checked for quality control. See the attachment for corrections that were made, if any. (KD) (Entered: 04/07/2023)
04/07/2023	<u>4</u>	Summons Issued as to Cogency Global, Inc., Credit Suisse Securities (USA) LLC, Colleen A. De Vries, Goldman Sachs (Asia) L.L.C., Hesai Group, Louis T. Hsieh, Huatai Securities (USA), Inc., Yifan Li, Morgan Stanley Asia Limited, Kai Sun, Shaoqing Xiang, Cailian Yang. (KD) (Entered: 04/07/2023)
06/06/2023	<u>5</u>	MOTION to Appoint Counsel <i>and Lead Plaintiff</i> by King Ho Wong. (Attachments: # <u>1</u> Proposed Order Proposed Order) (Kim, Phillip) (Entered: 06/06/2023)
06/06/2023	<u>6</u>	MEMORANDUM in Support filed by King Ho Wong. (Attachments: # <u>1</u> Exhibit 1. PSLRA Notice, # <u>2</u> Exhibit 2. PSLRA Certification, # <u>3</u> Exhibit 3. Loss Chart, # <u>4</u> Exhibit 4. Rosen Law Firm Resume) (Kim, Phillip) (Entered: 06/06/2023)
06/06/2023	<u>7</u>	MOTION to Appoint Counsel <i>and Lead Plaintiff</i> by Michael Dee. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Memorandum in Support, # <u>3</u> Declaration of Jeremy A. Lieberman, # <u>4</u> Exhibit A – Damages Analysis, # <u>5</u> Exhibit B – PSLRA Notice, # <u>6</u> Exhibit C – Certification and Schedule A, # <u>7</u> Exhibit D – Movant Declaration, # <u>8</u> Exhibit E – Pomerantz Firm Resume, # <u>9</u> Exhibit F – Holzer & Holzer Firm Resume) (Lieberman, Jeremy) (Entered: 06/06/2023)
06/09/2023	<u>8</u>	NOTICE by Michael Dee re <u>7</u> MOTION to Appoint Counsel <i>and Lead Plaintiff</i> – <i>Notice of Withdrawal of Motion of Michael Dee for Appointment as Lead Plaintiff and Approval of Co-Lead Counsel</i> (Lieberman, Jeremy) (Entered: 06/09/2023)
06/09/2023	<u>9</u>	MOTION to Withdraw as Attorney by Michael Dee. (Attachments: # <u>1</u> [Proposed] Order Granting Motion for Leave to Withdraw as Counsel) (Lieberman, Jeremy) (Entered: 06/09/2023)
06/12/2023	<u>10</u>	NOTICE of Appearance by Jing Chen on behalf of King Ho Wong (aty to be noticed) (Chen, Jing) (Entered: 06/12/2023)
06/23/2023	<u>11</u>	SUMMONS Returned Executed by King Ho Wong. Hesai Group served on 6/15/2023, answer due 7/6/2023. (Rosen, Laurence) (Entered: 06/23/2023)
06/28/2023	<u>12</u>	NOTICE of Appearance by Scott D. Musoff on behalf of Cogency Global, Inc., Colleen A. De Vries, Hesai Group (aty to be noticed) (Musoff, Scott) (Entered: 06/28/2023)
06/28/2023	<u>13</u>	NOTICE of Appearance by Robert Alexander Fumerton on behalf of Cogency Global, Inc., Colleen A. De Vries, Hesai Group (aty to be noticed) (Fumerton, Robert) (Entered: 06/28/2023)
06/28/2023	<u>14</u>	NOTICE of Appearance by Michael Charles Griffin on behalf of Cogency Global, Inc., Colleen A. De Vries, Hesai Group (aty to be noticed) (Griffin, Michael) (Entered: 06/28/2023)
06/28/2023	<u>15</u>	Corporate Disclosure Statement by Cogency Global, Inc., Hesai Group identifying Corporate Parent No Parent Company and No Publicly Traded Company owns more than 10% of its stock for Cogency Global, Inc., Hesai Group. (Fumerton, Robert) (Entered: 06/28/2023)
07/06/2023	<u>16</u>	NOTICE by King Ho Wong of <i>Non–Opposition to King Ho Wong's Motion to Appoint Lead Plaintiff and Approve Lead Plaintiff's Selection of Counsel (Dkt. No. 5)</i> (Kim, Phillip) (Entered: 07/06/2023)
08/21/2023	<u>17</u>	SUMMONS Returned Executed by King Ho Wong. Huatai Securities (USA), Inc. served on 8/16/2023, answer due 9/6/2023. (Rosen, Laurence) (Entered: 08/21/2023)

08/29/2023	<u>I</u> <u>18</u>	STIPULATION <i>and [Proposed] Order Extending Defendants' Time to Respond to the Complaint</i> by Hesai Group (Fumerton, Robert) (Entered: 08/29/2023)
08/31/2023	<u>I</u>	ORDER: The stipulation at <u>18</u> is so-ordered. After the Court's appointment of a lead counsel and lead plaintiff, the Court will set a schedule for the filing of the amended complaint and of a response. If needed, the Court will request the input of the parties as to the schedule for the filings. Defendants' time to file an answer or other response to the complaint is stayed until after the filing of an amended complaint, to a date to be set by the Court. Discovery is stayed pending the outcome of the motion to dismiss, if one is made, or pending the filing of the answer, if Defendants do not file a motion to dismiss. Within ten days of the filing of the answer, counsel are to submit a joint proposed discovery schedule and contact the Magistrate Judge to request a conference. Ordered by Magistrate Judge Vera M. Scanlon on 8/31/2023. (MG) (Entered: 08/31/2023)
12/13/2023	<u>I</u>	ORDER. In light of the <u>8</u> Notice of Withdrawal of Motion, Michael Dee's <u>7</u> Motion for Appointment as Lead Plaintiff and Approval of Co-Lead Counsel is moot. Ordered by Magistrate Judge Vera M. Scanlon on 12/13/2023. (CC) Modified on 12/13/2023 (CC). (Entered: 12/13/2023)
12/13/2023	<u>I</u>	ORDER granting <u>2</u> Motion to Withdraw as Attorney. Attorney Jeremy Alan Lieberman terminated. Ordered by Magistrate Judge Vera M. Scanlon on 12/13/2023. (CC) (Entered: 12/13/2023)
01/29/2024	<u>I</u>	ORDER TRANSFERRING CASE TO THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK -- The parties filed a stipulation stating that, once a lead plaintiff is appointed in this securities class action, but before filing an amended complaint, the parties anticipate transferring this action to the United States District Court for the Southern District of New York ("SDNY") in light of Defendant Hesai's forum selection clause. <i>See</i> , Stipulation, Dkt. Entry No. <u>18</u> . As the parties intend on transferring this case to the SDNY, this Court finds it inappropriate to decide the pending motions and declines to do so because they more properly are deferred to the transferee Court that will preside over the matter. Accordingly, in the interest of justice and based on the intent of the parties, pursuant to 28 U.S.C. Section 1404(a), the Clerk of the Court is directed to TRANSFER THIS CASE TO THE TO THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK and to close this case. SO ORDERED by Judge Dora Lizette Irizarry on 1/29/2024. (Irizarry, Dora) (Entered: 01/29/2024)
02/05/2024	<u>I</u>	Case transferred to District of Southern District of New York; case transferred electronically via PACER. (SEE Electronic Order dtd. 1/29/2024). <b>ALL FILINGS ARE TO BE MADE IN THE TRANSFER COURT, DO NOT DOCKET TO THIS CASE.</b> (MLR) (Entered: 02/05/2024)